THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8332 of 2007

Dated:20.04.2007

Between:

The Kunikinapadu Co-operative Society Ltd.

… Petitioner

AND

The Mandal Parishad Development Officer, and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8332 of 2007

ORDER:

The petitioner filed the instant Writ Petition seeking a writ of mandamus declaring the action of the first respondent in granting leasehold rights of the ferry point in the Village for 2007-2008 in favour of the third respondent as illegal and arbitrary. He also seeks a consequential direction to the first respondent to conduct open auction for leasing out the ferry point.

The petitioner alleges that Dharanikota Village is in Guntur District and Gani Atukuru Village is in Krishna District on the banks of River Krishna. So as to transport passengers, animals and agricultural products between these two points, a launch is being operated. The auction rights have been transferred by the Government in G.O.Ms.No.22, dated 13.01.1999, from the Department of Roads and Buildings to the Panchayat Raj Department, whereafter the first respondent has been regularly conducting auction. However, for the year 2007-2008, the petitioner alleges that without conducting auction, the first respondent granted leasehold rights to the third respondent. Therefore, the present Writ Petition is filed.

Learned Standing Counsel for respondents 1 and 2 obtained instructions at the admission stage. He submits that auction was conducted thrice after giving notice to interested persons including the petitioner. Though the notice was issued to the petitioner, it did not participate in the auction. Subsequently, auction was conducted when two persons participated and the third respondent quoted Rs.5,41,000/-. As the same was highest, it was accepted and the ferry point was handed over to the third respondent.

This Court has no strong reason to disbelieve the submission made by the learned Standing Counsel after obtaining instructions from the first respondent. If the petitioner has any grievance about the auction conducted by

the first respondent, its remedy lies elsewhere in approaching the District Collector or the District Panchayat Officer. In this Writ Petition, no relief can be granted.

The Writ Petition is, therefore, dismissed. No costs.

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(**V.V.S.RAO, J**)

20.04.2007
vs